

House Bill 1394

By: Representatives Long of the 61st, Benton of the 31st, Allison of the 8th, and Kidd of the 141st

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions for solid waste management, so as to require certain persons transporting scrap tires to utilize a scrap tire transport destination designation form to be provided by the Environmental Protection Division of the Department of Natural Resources; to provide for penalties; to provide for an effective date and applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions for solid waste management, is amended by adding a new Code section to read as follows:

"12-8-42.

(a) The division shall provide a scrap tire transport destination designation form to be used by persons transporting five or more scrap tires who are not otherwise required to obtain a scrap tire carrier or processor permit. The permit shall require the name, address, and driver's license number of any person transporting scrap tires. Each form shall also require the complete address and telephone number of the location of the disposal facility, recycle processor, or other end user that is the intended designation for the scrap tires being transported and such other information required by the division. The division shall make the scrap tire transport destination designation form available on websites of the division, department, and state and shall also make copies of such form available in each of its office locations.

(b) Any person transporting five or more scrap tires who does not have and is not required by law to have a scrap tire carrier or processor permit issued by the division shall obtain and fully complete a scrap tire transport destination designation form provided by the division. A completed scrap tire transport destination designation form or valid carrier or

processor permit or copy of the same shall be in the possession of any person transporting five or more scrap tires. An operator of a motor vehicle transporting scrap tires without a valid permit or completed form as required by this part shall be guilty of a misdemeanor and punished by not more than \$1,000.00 or 12 months in confinement, or both.

(c) Nothing contained in this Code section shall be construed to conflict with any permitting or licensing requirements established by federal or state law, and the transport destination designation form shall only be required for transporting scrap tires where a person is transporting five or more scrap tires and is not otherwise required to be permitted or licensed to transport scrap tires.

(d) The offense created by this Code section shall not be merged with any other criminal offense."

SECTION 2.

This Act shall become effective on July 1, 2010, and shall apply to offenses committed on or after such date.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.